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2012 APR -9 AM 10:12

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10 **UNLIMITED JURISDICTION**
11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
12 **FOR THE COUNTY OF LOS ANGELES**

13 WILLIAM TAYLOR,

14 Plaintiff,

15 vs.

16 CITY OF BURBANK and DOES 1 through
17 100, inclusive,

18 Defendants.

CASE NO. BC 422 252

[Assigned to the Hon. John L. Segal,
Judge, Dept. "50"]

PLAINTIFF'S OPPOSITION TO
DEFENDANT CITY OF BURBANK'S
OBJECTION TO PLAINTIFF'S
PROPOSED JUDGMENT

Action Filed: September 22, 2009
Trial: March 5, 2012

21
22 TO THE ABOVE-ENTITLED COURT, ALL PARTIES, AND TO THEIR
23 RESPECTIVE ATTORNEYS OF RECORD HEREIN:

24 Plaintiff WILLIAM TAYLOR ("Plaintiff") herein submits his opposition to Defendant
25 CITY OF BURBANK's (hereinafter "Defendant") Objection to Plaintiff's Proposed
26 Judgment.
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1 Plaintiff did include a request for injunctive relief in his pleadings. In the Prayer,
2 Plaintiff stated:

3 "3. Plaintiff requests injunctive relief to restore his permit to carry a concealed
4 weapon, that his records be expunged to show no discipline as a result of the adverse
5 actions taken against him as set forth in this lawsuit, and that he be provided with a
6 retirement badge and ID from the City of Burbank reflecting his retirement in good
7 standing from the Burbank Police Department as a Deputy Chief;" *Plaintiff's First*
8 *Amended Complaint, Prayer paragraph 3.*

9 Plaintiff is not seeking reinstatement at this time, but is seeking his retirement
10 badge reflecting his retirement as a Deputy Chief, his retirement ID along with a permit to
11 carry a concealed weapon permit, and will request that his personnel file be expunged of
12 any reference to termination and to reflect an honorable retirement.

13 "It is beyond question that, in general, both the Department of Fair Employment
14 and Housing and **courts** enforcing the **FEHA** are empowered not only to redress past
15 instances of employment discrimination, but to prevent a recurrence of such misconduct."
16 *Aguilar v. Avis Rent A Car System, Inc.*, (1999) 21 Cal.4th 121, 131. "Courts can, and
17 often do, issue injunctions prohibiting the recurrence or continuation of employment
18 discrimination." *Aguilar* @132.

19 Taylor will file a motion to redress the employment discrimination (retaliation) he
20 suffered by requesting that the trial court make him whole by ordering the City of Burbank
21 to issue his retirement badge reflecting his retirement as a Deputy Chief, his retirement ID
22 along with a permit to carry a concealed weapon permit, and a request that his personnel
23 file be expunged of any reference to termination and to reflect an honorable retirement.

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1 All of these items would have been issued to him had he been honorably retired
2 from the Burbank Police Department.

3
4 Dated: April 4, 2012

LAW OFFICES OF GREGORY W. SMITH

5
6 By:



7 GREGORY W. SMITH
8 Attorneys for Plaintiff
9 WILLIAM TAYLOR
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PROOF OF SERVICE

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years of age, and am not a party to the within action; my business address is 9100 Wilshire Boulevard, Suite 345E, Beverly Hills, California 90212.

On the date hereinbelow specified, I served the foregoing document, described as set forth below on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes, at Beverly Hills, addressed as follows:

DATE OF SERVICE : April 5, 2012

DOCUMENT SERVED : **PLAINTIFF'S OPPOSITION TO DEFENDANT CITY OF BURBANK'S OBJECTION TO PLAINTIFF'S PROPOSED JUDGMENT**

PARTIES SERVED : **SEE ATTACHED SERVICE LIST.**

XXX (BY REGULAR MAIL) I caused such envelope(s) with postage thereon fully prepaid to be placed in the United States mail at Beverly Hills, California. I am "readily familiar" with firm's practice of collection and processing correspondence for mailing. It is deposited with U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

XXX (BY ELECTRONIC MAIL) I caused such document to be electronically mailed to **Christopher Brizzolara, Esq.** at the following e-mail address: samorai@adelphia.net.

XXX (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

— (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

EXECUTED at Beverly Hills, California on April 5, 2012.

Selma I. Francia

SERVICE LIST

**WILLIAM TAYLOR v. CITY OF BURBANK
LOS ANGELES COUNTY SUPERIOR COURT CASE NO. BC 422 252**

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